

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

PROGRESSIVE HAWAII INSURANCE)	
CORPORATION,)	
)	
Plaintiff,)	
v.)	No.: 3:12-CV-574-TAV-HBG
)	
GERALD GULLEY, Administrator Ad Litem)	
for the Estate of XAVIER C. BINGHAM,)	
RYAN WESTBROOK, JAMES A. RUSSELL,)	
ANGELIC HODGE, ALLSTATE)	
INSURANCE COMPANY, and)	
GEICO INSURANCE COMPANY,)	
)	
Defendants.)	

ORDER

For the reasons set forth in the accompanying memorandum opinion, the Court finds that plaintiff Progressive Hawaii Insurance Corporation is entitled to declaratory judgment. Accordingly, Progressive's motion for summary judgment [Doc. 37] is **GRANTED** to the extent that it is **ORDERED, ADJUDGED, and DECREED** that Progressive Insurance Corporation owes no duty of indemnity nor duty to defendant in regard to the motor vehicle accident of May 12, 2012 and the civil actions arising therefrom. It is further **ORDERED** that this case is **DISMISSED**. The Clerk is **DIRECTED** to close this case.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT
s/ Debra C. Poplin
CLERK OF COURT